

58-57-14 Unlawful conduct -- Penalty.

- (1) Beginning January 1, 2007, "unlawful conduct" includes:
 - (a) using the following titles, names, or initials, if the user is not properly licensed under this chapter:
 - (i) respiratory care practitioner;
 - (ii) respiratory therapist; and
 - (iii) respiratory technician; and
 - (b) using any other name, title, or initials that would cause a reasonable person to believe the user is licensed under this chapter if the user is not properly licensed under this chapter.
- (2) Any person who violates the unlawful conduct provision specifically defined in Subsection 58-1-501(1)(a) is guilty of a third degree felony.
- (3) Any person who violates any of the unlawful conduct provisions specifically defined in Subsections 58-1-501(1)(b) through (f) and Subsection (1) of this section is guilty of a class A misdemeanor.
- (4) After a proceeding pursuant to Title 63G, Chapter 4, Administrative Procedures Act, and Title 58, Chapter 1, Division of Occupational and Professional Licensing Act, the division may assess administrative penalties for acts of unprofessional or unlawful conduct or any other appropriate administrative action.

Amended by Chapter 382, 2008 General Session